

**OFFICE OF THE GENERAL COUNSEL
DIVISION OF OPERATIONS-MANAGEMENT**

MEMORANDUM OM 07-12

November 20, 2006

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: Richard A. Siegel, Associate General Counsel

SUBJECT: Agency Non-Retaliation Policy Regarding Small Businesses and Their Contact
with the Small Business Administration

In 1996, Congress passed the "Small Business Regulatory Enforcement Fairness Act" (SBREFA), in response to concerns expressed by the small business community that federal regulations were too numerous, complex and expensive to implement. SBREFA was designed to give small businesses assistance in understanding and complying with regulations and more voice in the development of new regulations.

The Office of the National Ombudsman of the Small Business Administration, which has enforcement responsibilities under SBREFA, has asked all federal agencies to make clear that if a small business entity requests Ombudsman assistance on a federal agency matter, or complains about a federal agency action, the agency will not retaliate in response. The NLRB's policy on non-retaliation against small business entities is as follows:

The NLRB is committed to maintaining an environment in which small entities, and all other parties to its proceedings, are free to raise questions or concerns, or complain about NLRB actions or policies. No NLRB employee shall take any type of retaliatory action against a small entity or any other party solely for raising questions, concerns, or complaining about NLRB actions or policies. If you believe that this policy has been violated or if you wish to comment on the NLRB's enforcement and compliance processes, contact your local NLRB field office, the NLRB's Office of Inspector General or the National Ombudsman's office. Telephone numbers and addresses for local NLRB offices can be obtained on the NLRB website in the Contact Us folder. The Office of the Inspector General can be reached by telephone at 202-273-1960, by fax at 202-273-2344, or by e-mail at OIGHOTLINE@nrlb.gov. Information about the National Ombudsman is available online at www.sba.gov/ombudsman.

The Agency's non-retaliation policy is also located on the Agency's website in the About Us folder under Public Notices/Small Business Regulatory Enforcement Fairness Act.

Please contact your Assistant General Counsel, Deputy AGC or the undersigned if you have questions.

/s/
R.A.S.

cc: NLRBU
Release to the Public

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